

ELLIN DAVTYAN (238608)  
General Counsel  
KIRSTEN GALLER (227171)  
Deputy General Counsel  
OFFICE OF GENERAL COUNSEL  
THE STATE BAR OF CALIFORNIA  
845 South Figueroa Street  
Los Angeles, CA 90017  
Tel.: (213) 765-1000/Fax: (415) 538-2321

JEAN KRASILNIKOFF (280450)  
Assistant General Counsel  
jean.krasilnikoff@calbar.ca.gov  
HELENE A. SIMVOULAKIS-PANOS (256334)  
Assistant General Counsel  
helene.simvoulakis-panos@calbar.ca.gov  
OFFICE OF GENERAL COUNSEL  
THE STATE BAR OF CALIFORNIA  
180 Howard Street  
San Francisco, CA 94105-1639  
Tel: (415) 538-2388/Fax: (415) 538-2321

Attorneys for Defendants  
The State Bar of California, Leah Wilson, Natalie Leonard, Brandon N. Stallings,  
Melanie M. Shelby, Ruben Duran, Hailyn Chen, Audrey Ching, Arnold Sowell,  
Jr., Mark W. Toney, Paul A. Kramer, Jean Krasilnikoff, Ellin Davtyan, Louisa  
Ayrapetyan, George S. Cardona, Devan McFarland, and Enrique Zuniga

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

TODD R.G. HILL

Plaintiff,

vs.

THE BOARD OF DIRECTORS,  
OFFICERS AND AGENTS AND  
INDIVIDUALS OF THE PEOPLES  
COLLEGE OF LAW, et al.,

Defendants.

Case No.: 2:23-cv-01298-JLS-BFM

**STATE BAR DEFENDANTS'  
OPPOSITION TO PLAINTIFF'S  
MOTION FOR RECONSIDERATION  
OF COURT'S ORDER AND  
SUPPLEMENTAL FILING IN  
SUPPORT THEREOF**

1 **I. INTRODUCTION**

2 In Plaintiff Todd R.G. Hill’s “Motion for Reconsideration of Court’s Order  
3 (Docket 248)” and “Supplemental Filing In Support of Motion for  
4 Reconsideration and Request for Judicial Notice” (Dkts. 253, 259) (collectively  
5 the “Motion”), Plaintiff seeks reconsideration of the Court’s March 27, 2025,  
6 “Order Accepting Magistrate Judge’s Interim Report and Recommendations”  
7 (Dkt. 248) (the “Order”). The Motion is defective in that it fails to make any  
8 showing whatsoever as to why relief would be appropriate under Local Rule 7-18.  
9 Indeed, Plaintiff simply repeats arguments he already made in his objections to the  
10 Magistrate Judge’s Interim Report and Recommendations (“Report”), and the only  
11 new evidence he purports to cite does not address any of the legal deficiencies that  
12 warranted dismissal of his claims. *See* Dkt. 213. Accordingly, this Court should  
13 deny the Motion in its entirety.<sup>1</sup>

14 **II. LEGAL STANDARD**

15 Rule 7-18 provides, in relevant part, as follows:

16 A motion for reconsideration of an Order on any  
17 motion or application may be made only on the  
18 grounds of (a) a ***material*** difference in fact or law from  
19 that presented to the Court that, in the exercise of  
20 reasonable diligence, could not have been known to  
21 the party moving for reconsideration at the time the  
22 Order was entered, or (b) the emergence of new  
23 ***material*** facts or a change of law occurring after the  
24 Order was entered, or (c) a manifest showing of a  
25 failure to consider *material* facts presented to the  
26 Court before the Order was entered. ***No motion for  
27 reconsideration may in any manner repeat any oral***  
28

---

24 <sup>1</sup> The State Bar Defendants are the State Bar of California, Leah Wilson, Natalie  
25 Leonard, Brandon N. Stallings, Melanie M. Shelby, Ruben Duran, Hailyn Chen,  
26 Audrey Ching, Arnold Sowell, Jr., Mark W. Toney, Paul A. Kramer, Jean  
27 Krasilnikoff, Ellin Davtyan, Louisa Ayrapetyan, George S. Cardona, Devan  
28 McFarland, and Enrique Zuniga. While the State Bar was not named as a  
defendant in Plaintiff’s Third Amended Complaint, the Order adopted the  
recommendation in the Report to dismiss with prejudice the State Bar, along with  
the individual State Bar Defendants, presumably so that Plaintiff could not attempt  
to resurrect claims against the State Bar in a future complaint. *See, e.g.,* Report at  
23, n.5.

1 *or written argument made in support of, or in*  
2 *opposition to, the original motion.*

3 Emphasis added.

4 For the reasons discussed herein, Plaintiff cannot establish that  
5 reconsideration is appropriate under Rule 7-18 and the Motion should therefore be  
6 denied.

7 **III. LEGAL ARGUMENT**

8 **A. The Motion Should Be Denied Because Plaintiff Merely Repeats**  
9 **the Same Arguments the Court Previously Considered, and**  
10 **Rejected, in Issuing the Order.**

11 L.R. 7-18 expressly forbids a request for reconsideration that merely  
12 “repeat[s] *any oral or written argument.*” The Motion flouts this prohibition  
13 insofar as Plaintiff’s request for reconsideration is based entirely on legal  
14 arguments that the Court considered, and rejected, prior to its adoption of the  
15 Report. Specifically, the Motion restates the same meritless grounds that are set  
16 forth in his 28-page objections to the Report. *See* Dkt. 217. Ultimately, the Court  
17 elected to adopt the recommendations in the Report in their entirety, but not before  
18 reviewing the Objections and “engag[ing] in a de novo review of those portions of  
19 the [Report] to which objections [were] made.” *See* Dkt. 248. Nonetheless,  
20 Plaintiff proceeds to rehash the very same arguments, all of which the Court  
21 rejected in issuing the Order, and none of which warrant reconsideration at this  
22 juncture.

23 Furthermore, in issuing the Order, the Court likewise considered the State  
24 Bar Defendants’ Response to the Objections, wherein the State Bar Defendants  
25 fully addressed the contents of the Objections. *See* Dkt. 220, 5:7-7:3 (Plaintiff’s  
26 claims against the State Bar Defendants are barred by the Eleventh Amendment  
27 and the *Ex parte Young* exception does not vitiate sovereign immunity in these  
28 circumstances), 7:4-15 (a “detailed factual analysis of the State Bar Defendants’  
official versus individual capacities” is not warranted at the pleadings stage, where

1 the only relevant inquiry is whether Plaintiff has stated a plausible claim for  
2 relief), 7:15-20 (a plaintiff is not entitled to conduct discovery into the issue of  
3 Eleventh Amendment immunity, nor is a plaintiff permitted to use discovery as a  
4 fishing expeditions to salvage his deficiently pleaded claims), 7:23-8:21 (a  
5 plaintiff is not entitled to judicial notice of nondescript batches of documents and  
6 communications but rather, facts, to the extent he demonstrates said facts meet the  
7 requirements of Federal Rule of Evidence 201), 8:22-10:5 (Plaintiff's assertion  
8 that the Court failed to apply the correct legal standard in evaluating Plaintiff's  
9 claims is without merit) and 10:21-11:18 (the Court properly denied Plaintiff leave  
10 to amend his complaint for a *fourth* time where the circumstances made clear that  
11 Plaintiff could not state any viable claim for relief against the State Bar  
12 Defendants).

13 Because the Court has already rejected Plaintiff's arguments in adopting the  
14 Report, there is no basis for reconsideration. In sum, the Motion violates L.R. 7-18  
15 and should therefore be denied.

16 **B. Plaintiff Presents No New *Material* Evidence in Support of His**  
17 **Request for Reconsideration of the Order.**

18 Plaintiff touts the alleged discovery of "new evidence," i.e. an April 2,  
19 2025, "Update on State Bar Roles," as one of the bases for granting the Motion.  
20 See Dkt. 259, 5:7-18. Even assuming *arguendo* that this alleged update  
21 constitutes "new evidence" (it does not), the Motion is devoid of any explanation  
22 as to how this alleged new evidence differs in any way, let alone in any *material*  
23 way, from the allegations in the SAC the Court previously considered in issuing  
24 the Order. Rather, the Motion speaks in generalities, asserting that the alleged  
25 new evidence displays a purported "pattern of institutional failure by the State  
26 Bar." See Dkt. 253, 8:14-16. This assertion is precisely the type of "conclusory  
27 allegation" that the Magistrate Judge rejected in her Report, which the Court  
28 adopted in its entirety in issuing the Order. See Dkts. 213, 248.

1 Nor does the Motion explain how the alleged new evidence addresses the  
2 Magistrate Judge's concerns regarding the legal deficiencies in the theories of  
3 liability Plaintiff has attempted to assert against the State Bar Defendants. In the  
4 Report, the Magistrate Judge identified numerous ways in which Plaintiff's  
5 allegations against the State Bar Defendants were barred as a matter of law. For  
6 example, the Magistrate Judge explained that the individual State Bar Defendants  
7 were not properly named in Plaintiff's claim for alleged violations of Title VI of  
8 the Civil Rights Act of 1964. *See* Dkt. 213, 17:1-26. Yet, the Motion is entirely  
9 silent as to how the alleged new evidence overcomes the legal deficiencies in the  
10 SAC.

11 The same is true as to the Magistrate Judge's conclusions regarding the  
12 inadequacy of Plaintiff's race and gender discrimination claims. In  
13 recommending dismissal, the Magistrate Judge noted Plaintiff's failure to plead,  
14 both intentional discrimination on the part of the State Bar Defendants, as well as  
15 any alleged disparate impact upon members of the protected classes. *See* Dkt.  
16 213, 2:6-17. Yet, there is no showing in the Motion as to how the alleged new  
17 evidence overcomes either of these hurdles. This is true as to each and every  
18 deficiency that the Magistrate Judge previously identified relative to Plaintiff's  
19 claims against the State Bar Defendants.

20 Because Plaintiff has offered no explanation as to how the alleged new  
21 evidence salvages his previously dismissed claims against the State Bar  
22 Defendants, the evidence is not "material." Reconsideration is therefore not  
23 warranted in these circumstances and the Motion should be dismissed.

24 ///

25 ///

26 ///

27 ///

28 ///

1 **IV. CONCLUSION**

2 For the foregoing reasons, Plaintiff has failed to establish that  
3 reconsideration of the Order is appropriate pursuant to Rule 7-18. Accordingly,  
4 the Motion should be denied in its entirety.

5  
6 Dated: April 11, 2025

STATE BAR OF CALIFORNIA  
OFFICE OF THE GENERAL COUNSEL

7  
8  
9 By: HELENE A. SIMVOULAKIS-PANOS

HELENE A. SIMVOULAKIS-PANOS

Assistant General Counsel

Attorneys for Defendants

The State Bar of California, Leah Wilson,

Natalie Leonard, Brandon N. Stallings,

Melanie M. Shelby, Ruben Duran, Hailyn

Chen, Audrey Ching, Arnold Sowell, Jr.,

Mark W. Toney, Paul A. Kramer, Jean

Krasilnikoff, Ellin Davtyan, Louisa

Ayrapetyan, George S. Cardona, Devan

McFarland, and Enrique Zuniga

**DECLARATION OF SERVICE**

I, Ryan Sullivan, hereby declare: that I am over the age of eighteen years and am not a party to the within above-entitled action, that I am employed in the City and County of San Francisco, that my business address is The State Bar of California, 180 Howard Street, San Francisco, CA 94105.

On April 11, 2025, following ordinary business practice, I filed via the United States District Court, Central District of California electronic case filing system, the following:

**STATE BAR DEFENDANTS' OPPOSITION TO PLAINTIFF'S  
MOTION FOR RECONSIDERATION OF COURT'S ORDER AND  
SUPPLEMENTAL FILING IN SUPPORT THEREOF**

Participants in the case who are registered CM/ECF users will be served.

*See the CM/ECF service list.*

I declare under penalty of perjury that the foregoing is true and correct.

Executed at San Francisco, California, on April 11, 2025.

*Ryan Sullivan*

\_\_\_\_\_  
Ryan Sullivan